

NOT FOR PUBLICATION

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

<p>ALTANA PHARMA AG and WYETH,</p> <p>Plaintiffs,</p> <p>v.</p> <p>TEVA PHARMACEUTICALS USA, INC., et al.,</p> <p>Defendants.</p>	<p>Civil Action No. 04-2355 (JLL)</p> <p>ORDER</p>
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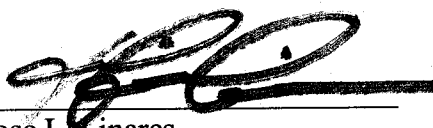
LINARES, District Judge.

This matter comes before the Court by way of Defendant Sun's motion for partial summary judgment [Docket Entry No. 1118] seeking a ruling that it is not responsible for any alleged damages to the Plaintiffs prior to the date on which it launched its generic pantoprazole product—January 30, 2008. Based on the reasons set forth in the Court's corresponding Opinion dated December 20, 2012, which has been filed under seal,

IT IS on this 20th day of December, 2012,

ORDERED that Defendant Sun's motion for partial summary judgment [Docket Entry No. 1118] is **DENIED**.

IT IS SO ORDERED.



Jose L. Linares
United States District Judge